

**COMMITTEE  
ON  
TRANSPORTATION & TELECOMMUNICATIONS**

**One Hundred Second Legislature**

**First Session – 2011**

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**ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION**

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**2011 BILLS REFERRED TO THE  
TRANSPORTATION & TELECOMMUNICATIONS  
COMMITTEE**

<i>LB</i>	<i>INTRODUCER</i>	<i>ONELINER</i>	<i>STATUS</i>
35	Harms (Harms Priority)	Change provisions relating to oversize vehicle permits	Governor Approved (Contains LB 353)
47	Fischer	Include certain third parties as railroad carriers	Governor Approved
52	Krist	Change motorcycle helmet provisions and require eye protection	In Committee
67	Fischer	Clarify required use and enforcement provisions regarding seat belts and other occupant protection systems	Governor Approved
87	Christensen	Change provisions relating to mowing weeds in ditches	In Committee
98	Fischer	Provide powers relating to federal-aid transportation funds	Governor Approved
102	Schilz	Change provisions relating to vehicle loads	In Committee
104	Schilz	Change certain vehicle weight provisions	In Committee
112	Coash (T&T Priority)	Provide an exemption from motor carrier regulations for comprehensive services transport	Governor Approved
135	Smith	Change the date for remitting certain funds under the Motor Vehicle Certificate of Title Act	Governor Approved
158	Fischer	Change driver's license examination and issuance provisions	Governor Approved
163	Fischer	Change provisions relating to parking permits and license plates for handicapped or disabled persons and authorize a state electronic application system	Governor Approved
164	Louden	Provide notification requirements before moving buildings or other large objects on a county or township road	Governor Approved
170	Fischer	Change motorcycle safety education provisions	Governor Approved
178	T&T Comte	Change commercial drivers' licenses provisions	Governor Approved
182	Hansen	Change provisions relating to the issuance of one license plate	In Committee
183	Wightman	Change abandoned motorboat and trailer provisions	In Committee
185	Fulton	Provide for one vehicle license plate	In Committee

206	Wightman	Provide for disposition of abandoned camper units and cabin trailers	In Committee
212	T&T Comte	Adopt revisions of federal laws and regulations relating to motor vehicles	Governor Approved
215	Fischer	Change state identification card and motor vehicle operator's license provisions	Governor Approved
216	Coash	Provide for special interest motor vehicle plates	General File
217	Fischer	Change the Telecommunications Relay System Act	In Committee
220	Fischer	Change appeal procedures of the Public Service Commission	Indefinitely Postponed
241	Hadley	Redefine parts vehicle and require a bill of sale for transfer of a parts vehicle	Governor Approved
244	Carlson	Allow certain signs along scenic byways as prescribed	In Committee
250	T&T Comte	Exempt limousine service from Public Service Commission regulation	In Committee
255	T&T Comte	Eliminate investigation and regulation duties of the Public Service Commission relating to railroads	Final Reading
257	Fischer	Remove a filing requirement for telecommunications companies	Governor Approved
259	Fischer	Change provisions relating to railroads	Governor Approved
289	Mello (Speaker Priority)	Authorize the operation on public highways of low-speed vehicles as prescribed	Governor Approved
295	Lathrop	Provide a complaint procedure with the Public Service Commission regarding towing and storage fees	In Committee
327	Campbell	Change motor vehicle fees and distribution of the proceeds	In Committee
353	Lautenbaugh	Change provisions relating to towing of vehicles and exemptions from size, weight, and load restrictions	Indefinitely Postponed (Amended into LB 35)
418	Nelson	Exclude certain automatic dialing-announcing devices from registration	General File
420	Dubas	Provide an exception for farm tractor-farm wagon combinations from vehicle load limits	In Committee
477	Fischer (T&T Priority)	Change regulation provisions under the Motor Vehicle Industry Regulation Act	Governor Approved
484	Hadley	Exclude certain activities from the definition of excavation under the One-Call Notification System Act	In Committee
495	Pankonin	Adopt the Boat Dealers Licensing Act and add a member to the Nebraska Motor Vehicle Industry Licensing Board	In Committee
500	Cook (Speaker Priority)	Change penalties relating to unlawful obstruction or interference of the view of an operator of a motor vehicle	Governor Approved
573	Price	Authorize use of rotating or flashing amber lights on any motor vehicle operated by or for a storm spotter	Governor Approved

584	Fulton	Exempt deployed military personnel from motor vehicle registration fees	In Committee
589	Smith (Smith Priority)	Allow for encroachments on state highways for special events as prescribed	Governor Approved
625	Fulton	Change certain penalties relating to driving under the influence	In Committee
659	Karpisek	Prohibit driving with controlled substances in bodily fluids	Indefinitely Postponed
661	Karpisek	Change specialty license plate fees	In Committee
LR3 CA	Fischer	Constitutional amendment to authorize pledge of state sales and use taxes for highway bonds	In Committee

# SUMMARY OF 2011 LEGISLATION

## APPROVED BY THE GOVERNOR

LB NO.	Introducer	One-liner
35	Harms	Change provisions relating to oversize vehicle permits

*Effective date of August 27, 2011.*

LB 35 increases the maximum renewal period for an overdimensional permit for a vehicle transporting sugar beets, grain, or other seasonally harvested products.

The bill amends § 60-6,298 and the renewal period for a Department of Roads overweight/over length permit so that the maximum renewable period shall not exceed 210 days. This keeps the renewal period in increments of 30 days for ease of the Department of Roads electronic permit system. Current law allows for a maximum period of 120 days.

The bill also incorporates provisions of **LB 353** to create new guidelines for moving a disabled overdimensional vehicle from the highway.

The bill amends § 60-6,297 to add an exemption to the dimensional restrictions for a disabled or wrecked vehicle being towed to a place of secure safekeeping. Once it has reached that point, the vehicle is required to obtain the necessary single trip overdimensional permit to travel any farther.

The tow truck must be connected to the disabled vehicle with air brakes and brake lights.

The bill provides a definition of “place of secure safekeeping” and “wrecker or tow truck”.

Finally, the bill provides the tow truck owner or operator will be held liable for any injury or damage when the tow truck operates over the dimensional restrictions.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
47	Fischer <i>E-Clause</i>	Include certain third parties as railroad carriers
<p><i>Effective date of February 23, 2011.</i></p> <p>LB 47 includes 3rd party contractors of railroads in the provisions of a wireline crossing agreement process.</p> <p>The bill amends § 86-164 to state that the telecommunications carrier shall pay the railroad, owner, manager, agent, or representative of the railroad carrier the standard crossing fee when placing a line or wire across the railroad right-of-way.</p> <p>The bill has an emergency clause attached.</p>		

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
67	Fischer	Clarify required use and enforcement provisions regarding seat belts and other occupant protection systems
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 67 clarifies that enforcement of a violation of a child safety seat for children up to age 6 is a primary violation.</p> <p>The bill amends § 60-6,267 to distinctly separate the provisions dealing with the use of safety belts and restraint systems for children up to age 6 and for children aged 6 to 18.</p> <p>The bill amends § 60-6,268 to clarify that subsections 2 (children 6 to 18) and 8 (passengers of a provisional operator permit/school permit) are enforced only as a secondary action. This leaves subsection 1 (children up to age 6 in car/booster seats) as a primary violation.</p>		

LB NO.	Introducer	One-liner
98	Fischer	Provide powers relating to federal-aid transportation funds
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 98 authorizes the Department of Roads to implement a federal buyback program with local governments.</p> <p>The bill amends § 39-1307 to authorize DOR, on behalf of the state, to enter into an agreement with a political subdivision to purchase the entity’s federal-aid transportation funds. The funds may be purchased at a discount rate at the discretion of DOR.</p> <p>Any funds purchased must be used for the construction, reconstruction, maintenance, and repair of an entity’s highways, streets, roads, or bridges and facilities, appurtenances, and structures.</p> <p>The local government is responsible for providing proof that the funds were used for such purpose. Such proof shall be determined by DOR.</p> <p>The bill also amends § 66-4,100 to authorize funds in the Highway Cash Fund or Roads Operation Cash Fund to be used for the buyback program.</p>		

LB NO.	Introducer	One-liner
112	Coash <i>E-Clause</i>	Provide an exemption from motor carrier regulations for comprehensive services transport
<p><i>Effective date of April 26, 2011.</i></p> <p>LB 112 creates an exemption for HHS private providers from Public Service Commission intrastate carrier regulations.</p> <p>First, the bill inserts a definition of “attended services”. This definition is the same as the current statutory definition of “escort services”, but is meant to give a better understanding of what is intended.</p> <p>The bill creates two new exemptions from Public Service Commission regulation for “Residential Care Transportation Services” and “Supported Transportation Services”.</p> <p>Residential care transportation services are meant to cover the transportation of a minor or disabled individual who resides in a residential home or facility under HHS regulation.</p>		

Examples include a foster home, treatment facility, group home, or shelter. The transportation is incident to a services contract or a subcontract with HHS.

Supported transportation services are meant to cover the transportation of a minor, disabled individual, or family member of a minor when it is necessary for the person providing the transportation to assist and supervise the passenger.

Supported transportation services must be incident to the contract or a subcontract with HHS, and the driver must meet certain requirements outlined in the section.

The bill also requires a motor carrier fitting under one of these two exemptions to comply with the requirements of HHS regulations to protect the safety and well-being of the passengers, including insurance, training, and age requirements.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
135	Smith	Change the date for remitting certain funds under the Motor Vehicle Certificate of Title Act
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 135 gives county officials an extra 10 days to remit titling fees to the State Treasurer.</p> <p>The bill amends § 60-161 to require fees under the Certificate of Title Act to be remitted no later than the 15th day of the month following collection. The current process requires remittance no later than the 5th day of the month.</p>		

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
158	Fischer	Change driver's license examination and issuance provisions
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 158 restricts the re-taking of a driving examination for a Class O or Class M license and expands the use of on-line driver license renewal.</p> <p>The bill adds a new section to the Motor Vehicle Operators' License Act that requires any applicant who has failed the driving portion of the driver license test three successive times to obtain a learner's permit and either complete an approved driver training course</p>		

or wait 90 days after obtaining the permit.

The bill amends § 60-4,122 to expand the maximum age a license holder can renew on-line from 65 years old to 72 years old. The bill also inserts a new subsection to authorize teenagers going through the graduated license process to apply for successive licenses on-line if:

1. a digital image and signature is in the digital system;
2. the applicant has passed any required exams;
3. the applicant's current license is not impounded, suspended, revoked or canceled; and
4. the applicant is otherwise eligible as determined by the DMV.

The bill also adds a new subsection (10) to authorize the DMV to develop requirements for electronic issuance of driver licenses and identification cards.

LB NO.	Introducer	One-liner
163	Fischer	Change provisions relating to parking permits and license plates for handicapped or disabled persons and authorize a state electronic application system

*Effective date of August 27, 2011.*

LB 163 authorizes the DMV to create an electronic application process for handicapped permits and makes the process more convenient for a permit holder.

The bill makes many changes to the statutory provisions of the handicapped permit process. However, most are for clarification and reorganizations purposes. The main substantive changes include:

**Section 3** amends § 18-1738 to allow a person to hold up to two permits at one time.

The section also allows an application for a renewal permit to be filed within 180 days prior to the current permit's expiration. Current statute only allows renewal applications within 30 days of expiration.

**Section 6** amends § 18-1739 to allow up to two duplicate permits to be issued in a permit's valid period before an applicant is required to reapply for a new permit. Current statute only allows for one duplicate permit to be issued.

**Section 7** amends § 18-1740 to extend the validity of permanently issued handicapped permits from three years to six years.

**Section 23** authorizes the DMV to create an electronic system for handicapped or disabled parking permits. The system shall be implemented before January 1, 2013.

**Section 24** expands upon the electronic system, allowing a person or certified health care provider to apply for the permit using the online process. A certified health care provider includes a physician, physician assistant, or advanced practice registered nurse.

Application for renewal can be made within 180 days of the original permit's expiration date.

DMV will be required to issue an identification card showing the expiration date of the permit and such identifying information of the applicant as necessary.

DMV will also be required to verify that the applicant qualifies for a permit and deliver the permit to the applicant. A person may hold up to two permits.

**Section 29** prohibits any person from providing false information on a permit application, making it a Class III misdemeanor.

If the director discovers fraud in an application, the DMV may cancel the permit and send notice of cancellation.

**Section 30** allows rule and regulation authority for the DMV, and specifically states all current rules and regulations regarding the permit process will remain in place until they are amended or nullified.

LB NO.	Introducer	One-liner
164	Louden	Provide notification requirements before moving buildings or other large objects on a county or township road
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 164 requires notice to the local authority and electric utility of a vehicle moving an oversized object or building on a county or township road.</p> <p>The bill requires a person moving a building/object that, with the transporting vehicle, is over 15 feet, 6 inches high or wider than the road to notify the local authority and electric utility of the move.</p> <p>Notification must be given 10 days in advance of the move, and should include a description of the vehicle, specifications of the object being moved, the route being used,</p>		

and the date and time of the move.

The new section does not exempt the person from complying with any other notification or permit requirements for oversized vehicles found within the Rules of the Road.

Any violation of this section would be a Class III misdemeanor (max 3 months prison / \$500 fine or both).

LB NO.	Introducer	One-liner
170	Fischer	Change motorcycle safety education provisions
<p><i>Operative date of January 1, 2012</i></p> <p>LB 170 eliminates state subsidies provided through the Motorcycle Safety Education Fund and updates statutory requirements for motorcycle safety classes and certification of training instructors.</p> <p><b><u>Section by Section Summary</u></b></p> <p><b>Section 1</b> amends § 39-2215 to strike the diversion of \$3 per motorcycle registration taken from the Highway Trust Fund and deposited in the Motorcycle Safety Education Fund.</p> <p><b>Section 2</b> amends § 60-4,115 to strike the diversion of \$3.50 per Class M license issued from the DMV Cash Fund and deposited in the Motorcycle Safety Education Fund.</p> <p><b>Section 3</b> amends § 60-4,127 to require a Class M license applicant to complete a motorcycle safety course within the preceding two years instead of the preceding four years. The section also strikes obsolete language from the statute.</p> <p><b>Section 4</b> amends § 60-2120 to provide harmonizing language.</p> <p><b>Section 5</b> amends § 60-2121 to strike the definition of Fund since the Motorcycle Safety Education Fund will no longer exist.</p> <p>The section also creates definitions for driving course, motorcycle safety course, motorcycle safety instructor, and motorcycle trainer.</p> <p><b>Section 6</b> amends § 60-2125 to permit the DMV to adopt rules and regulations establishing the requirements for motorcycle safety courses.</p> <p>The section strikes reference to reimbursement from the fund and specific minimum requirements for the courses, and replaces it with general requirement language.</p>		

**Section 7** amends § 60-2126 to harmonize language and require an application for providing a course to include a list of instructors and department certification of those instructors. A \$100 application fee is required to be remitted to the DMV Cash Fund. DMV will also have audit authority over the safety course.

**Section 8** amends § 60-2127 to permit DMV rule and regulation authority for minimum requirements of safety instructors. The certification is valid for two years, after which renewal is required according to DMV rule and regulation.

The section also eliminates the statutory minimum requirements for safety instructors.

If a person currently holds an instructor permit, it will be recognized until January 1, 2014, after which the instructor will need to reapply according to DMV rule and regulations.

**Section 9** amends § 60-2128 to eliminate the requirement of at least one course per year in each congressional district.

The section strikes referencing language to reimbursement for instructor courses and requirements to pass the course.

**Section 10** amends § 60-2129 to limit certification to no more than two motorcycle trainers. Trainers may be reimbursed for certification through the DMV when there are less than two trainers in the state.

The section also provides for the treatment of a current safety instructor permit, which shall be valid until January 1, 2014, after which renewal is required according to DMV rule and regulation.

**Section 11** amends § 60-2130 to change the term of valid certificates from three to two years. The section also eliminates the requirement of providing a SSN and a \$5 fee.

**Section 12** amends § 60-2131 to provide harmonizing language and eliminate the restriction of a 12 month period before a suspended/revoked instructor can reapply.

The section provides new language outlining the process for reapplying or recertifying a suspended or revoked instructor. The section also provides for a contestation process.

**Section 13** inserts new language that directs outstanding revenue in the Motorcycle Safety Education Fund to be transferred to the Motor Vehicles Cash Fund (25%) and the Roads Operation Cash Fund (75%) within sixty days of the bill's operative date.

**Section 14** amends § 60-2139 to provide discretionary authority for DMV rules and regulations governing the Motorcycle Safety Education Act.

**Section 15** provides an operative date for the bill of January 1, 2012.

**Section 16** repeals original sections amended in the bill.

**Section 17** outright repeals statutory sections referencing the Motorcycle Safety Education Fund and authorized expenditures of the fund.

LB NO.	Introducer	One-liner
178	T&T Committee	Change commercial drivers' licenses provisions
<p data-bbox="224 709 657 745"><i>Effective date of August 27, 2011.</i></p> <p data-bbox="224 783 1388 924">LB 178 requires medical certification for holders of a commercial driver license (CDL) and harmonizes provisions with federal regulations pertaining to the operation of commercial motor vehicles (CMV) and transportation of Hazardous Materials on Nebraska highways.</p> <p data-bbox="224 968 1388 1071">The bill makes many changes to the statutory provisions of the CDL licensing process. However, a majority are for clarification and harmonizing purposes. The main substantive changes include:</p> <p data-bbox="224 1115 1388 1218"><b>Section 5</b> amends § 60-4,131 to create new definitions of Downgrade, Medical Examiner's Certificate, and Medical Variance within the provisions applicable to operation of CMV's.</p> <p data-bbox="224 1262 1388 1365"><b>Section 9</b> amends § 60-4,138 to create a new V endorsement on a CDL. This endorsement is for those CDL holders who are required to carry medical variance documentation.</p> <p data-bbox="224 1409 1388 1554"><b>Section 12</b> amends § 60-4,144 to provide a cutoff date of January 1, 2012, after which a CDL applicant must make a self-certification exemption or provide medical certification. The DMV may give notice and provide certification requirements to CDL holders. A holder who fails to certify is subject to downgrade.</p> <p data-bbox="224 1591 1388 1659"><b>Section 13</b> creates a new provision to require a person expecting to operate a CMV to certify to the DMV that he or she fits within one of four different categories:</p> <ol data-bbox="321 1665 1388 1875" style="list-style-type: none"><li data-bbox="321 1665 1388 1732">1. a driver in interstate commerce that must maintain a current medical examiner's certificate and provide a copy to DMV;</li><li data-bbox="321 1738 1388 1806">2. a driver operates a CMV in interstate commerce, but engages only in activities exempted from medical certification;</li><li data-bbox="321 1812 1388 1875">3. a driver operates a CMV only in intrastate commerce and therefore is subject to state qualification requirements; or</li></ol>		

4. a driver operates a CMV only in intrastate commerce, but is exempted from state qualification requirements.

**Section 14** states that after January 1, 2012, in order for a person to obtain a CDL, the DMV will post the driver’s self certification, retain the medical examiner’s certificate for at least three years, and post the medical information from the certificate to the Commercial Driver License Information System (CDLIS). The provision outlines the specific information to be posted.

The DMV will be required to update within ten days of an expiration of medical certification or variance a driver’s status as “not certified” or the issuance, renewal, or expiration of a medical variance.

The DMV will also be required to notify the CDL holder of the status change and downgrade the CDL within 60 days of a driver becoming “not certified”.

**Section 20** amends § 60-2909.01 to authorize the DMV to release a motor vehicle record to a CDL holder’s employer or CDLIS for medical certification purposes.

**Section 21** amends § 75-363 to strike the exemption for nonprofit entities furnishing electric service (co-ops.) from falling under the intrastate motor carrier definition and the requirements that come with that category.

**Section 22** amends § 75-364 to strike the agricultural and non-specification tank exceptions from the federal Hazardous Materials Regulations.

LB NO.	Introducer	One-liner
212	T&T Committee <i>E-Clause</i>	Adopt revisions of federal laws and regulations relating to motor vehicles
<p><i>Effective date of February 22, 2011.</i></p> <p>LB 212 updates the adoption of federal rules and regulations found in the MV statutes and authorizes minitrucks to tow trailers.</p> <p>The bill is an annual updating of dates that reference federal law in the motor vehicle statutes. These updates are necessary for Nebraska to remain in compliance with federal law.</p> <p><b>Section 1</b> amends § 18-1739 to adopt 23 CFR part 1235 pertaining to handicapped permit specifications as such regulation existed on January 1, 2011.</p>		

**Section 2** amends § 60-144 to corrects an oversight from LB 202 (2009). Through that bill, the DMV implemented an Electronic Lien and Titling (ELT) process. The ELT system allows the DMV to communicate electronically with lending institutions regarding noting and releasing motor vehicle liens.

The bill eliminates the mailing requirement for titles for apportionable vehicles so that apportioned vehicle titles will instead be issued according to the ELT process.

**Section 3** amends § 60-3,193.01 to adopt the International Registration Plan for apportioned vehicles in interstate commerce as it existed on January 1, 2011.

**Section 4** amends § 60-3,221 to authorize the towing of cabin trailers, utility trailers, farm trailers, and dealer-plated trailers by properly registered minitrucks.

**Sections 5 and 6** amends §§ 60-462.01 and 60-4,147.02 to adopt federal rules and regulations pertaining to commercial motor vehicles and commercial driver licenses as they existed on January 1, 2011.

**Section 7** amends § 75-363 by adopting the parts, subparts, and sections of Title 49 of the Code of Federal Regulations in existence and effective as of January 1, 2011. The regulations are applicable to all motor carriers, drivers and vehicles to which federal regulations apply and all motor carriers transporting persons or property in intrastate commerce.

**Section 8** amends § 75-364 by adopting parts, subparts, and sections of Title 49 of the Code of Federal Regulations in existence and effective as of January 1, 2011, pertaining to hazardous materials, agricultural operations, and exceptions for nonspecification packagings used in intrastate transportation.

**Section 9** amends § 75-393 to authorize the director of DMV to participate in the Unified Carrier Registration Act (UCR) as the act existed on January 1, 2011.

LB NO.	Introducer	One-liner
215	Fischer <i>E-Clause</i>	Change state identification card and motor vehicle operator's license provisions

*Effective date of March 10, 2011.*

LB 215 strengthens the security surrounding the driver license issuing process and restricts the acceptance of certain documents proving lawful status.

The bill makes many changes to the statutory provisions of the driver license and

identification card issuing process. However, most are for harmonizing purposes and for striking obsolete provisions. The main substantive changes include:

**Section 4** amends § 60-479.01 to require any person involved in the recording of verified application information, manufacture or production of the license or card, or has the ability to affect information, to submit to a criminal history and lawful status check. Any person convicted of a disqualifying offense shall not be involved in the license issuing process. Notice of the background check must be given to the employee.

**Section 5** amends § 60-484 to prohibit any person from holding an operator license and identification card at the same time.

**Section 6** inserts new language authorizing the DMV to retain copies of source documents presented by a license applicant. Copies will be held in secured storage.

**Section 7** requires a lawful status check before any applicant may be issued a license or identification card. The section includes a specific list of acceptable documents proving lawful status and the required combination.

**Section 8** requires the DMV to issue a temporary license or ID card to any applicant who has temporary lawful status in the U.S. The document shall be valid for the authorized stay period, or one year if no expiration date. The document shall also be marked as temporary.

**Section 9** authorizes the DMV to verify a source document presented by an applicant with the issuing agency.

**Section 16** amends § 60-4,121 to strike language so that a military member coming off of active duty must come to the DMV and not the county treasurer for license renewal. (Note: In recent years the DMV took over the photo capture of applicants from county treasurers.).

**Section 23** amends § 60-4,181 to prohibit any person from holding an operator license and identification card at the same time.

**Section 25** adds the Emergency Clause to the bill.

LB NO.	Introducer	One-liner
241	Hadley <i>E-Clause</i>	Redefine parts vehicle and require a bill of sale for transfer of a parts vehicle
<p><i>Effective date of February 22, 2011.</i></p> <p>LB 241 creates a new definition of “parts vehicle” and establishes a process for transferring ownership of such a vehicle.</p> <p><b>Section 1</b> amends § 60-126 to strike the current definition of parts vehicle and replace it to mean a vehicle where the title has been surrendered to the DMV or county due to the vehicle being destroyed/dismantled/scrapped or surrendered to another state or insurance company to render it fit for sale for scrap parts.</p> <p><b>Section 3</b> amends § 60-140 to require a bill of sale to establish ownership in a parts vehicle.</p> <p><b>Section 4</b> amends § 60-142 to require a seller of a parts vehicle to deliver a bill of sale to the purchaser. The provision requires certain information to be included on the bill of sale. Fraud in the case of a parts vehicle is a Class III misdemeanor (max 3 months prison and/or \$500).</p> <p><b>Section 5</b> amends § 60-344 to change the definition of parts vehicle in the MV Registration Act to keep it current with the Certificate of Title Act’s definition.</p>		

LB NO.	Introducer	One-liner
257	Fischer	Remove a filing requirement for telecommunications companies
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 257 removes a Public Service Commission filing requirement with regard to business service by a telecommunications company.</p> <p>Currently §§ 86-143 and 86-144 require a telecommunications company to file rate lists with the Commission for each service provided.</p> <p>The bill amends the statute to exclude filing rate lists, tariffs or contracts for business services in all exchanges, regardless of whether the local competition has been determined to exist.</p>		

The company may remove any business service rate list, tariff, or contract if written notice is provided to the Commission and the company posts the rates, terms, and conditions of business service on its website.

LB NO.	Introducer	One-liner
259	Fischer	Change provisions relating to railroads
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 259 eliminates the Nebraska Railway Council.</p> <p><b>Section 1</b> amends § 37-914 to leave approval with the federal Surface Transportation Board when re-establishing a railroad in a right-of-way that has been turned over to the Game &amp; Parks Commission for the Rails-to-Trail program.</p> <p><b>Section 2</b> gives authority to the Department of Roads to oversee any outstanding agreement between a railroad and the Nebraska Railway Council.</p> <p><b>Section 3</b> amends § 74-1427 to add definitions found in other statutes that are outright repealed under the bill. This section of law pertains to local governments' taxing and bonding authority for rail line assistance purposes.</p> <p><b>Section 5</b> outright repeals all statutory sections that create the Nebraska Railway Council and outline its administration and purpose.</p>		

LB NO.	Introducer	One-liner
289	Mello	Authorize the operation on public highways of low-speed vehicles as prescribed
<p><i>Operative date of January 1, 2012.</i></p> <p>LB 289 authorizes the operation of low-speed vehicles on highways with a 35 mph speed limit or lower.</p> <p>Many of the bill's changes are for clarification and harmonizing purposes. The main substantive changes include:</p> <p><b>Section 2</b> amends § 23-187 to give ordinance authority for counties to regulate low-speed</p>		

vehicles (LSV's).

**Section 7** amends § 60-119.01 so that the current definition of LSV in the Certificate of Title Act coincides with the federal definition.

**Section 9** amends § 60-137 to require low-speed vehicles sold after January 1, 2012 to have a certificate of title. LSV's sold before that date may obtain a title through DMV regulations.

**Section 10** outlines the process for obtaining a certificate of title for a LSV that does not have a vehicle identification number (VIN).

**Section 11** amends § 60-165 to outline the process for a lienholder to obtain a certificate of title for a LSV in the case where an owner fails to obtain a title.

**Section 13** amends § 60-306 to move the definition of "alternative fuel" from § 66-686. Section 36 of the bill outright repeals this section.

**Section 14** amends § 60-336.01 so that the current definition of low-speed vehicle in the Registration Act coincides with the federal definition.

**Section 15** amends § 60-339 so that a LSV is included within the definition of "motor vehicle" in the Registration Act. This will make the LSV operator subject to the motor vehicle registration requirements in the Act.

**Section 16** provides that the registration fee for a LSV shall be \$15.00.

**Section 17** amends § 60-386 to remove the requirement for the county treasurer to notify the Department of Revenue of an alternative fuel vehicle registration. The alternative fuel fee will be collected by the county treasurer or DMV.

**Section 21** amends § 60-398 to require license plates on a LSV and outline the necessary dimensions of the plates.

**Section 22** amends § 60-3,187 to provide a base fee of \$50 for the computation of the Motor Vehicle Tax for a LSV.

**Section 23** amends §60-3,190 to provide a base fee of \$10 for the computation of the Motor Vehicle Fee for a LSV.

**Section 24** creates a new alternative fuel fee of \$75 for an alternative fuel vehicle (i.e. electric powered).

**Section 25** amends § 60-471 so that a LSV is included within the definition of "motor vehicle" in the Operator's License Act. This will make the LSV operator subject to the driver license requirements in the Act.

**Section 26** amends § 60-501 so that a LSV is included within the definition of “motor vehicle” in the Motor Vehicle Safety Responsibility Act. This will make the LSV subject to insurance requirements in the Act.

**Section 31** creates a new definition of LSV within the Rules of the Road. The definition coincides with the federal definition.

**Section 32** authorizes the operation of a LSV on any highway of 35 m.p.h. or less. A local government or the Department of Roads may restrict the LSV even further if necessary for public safety.

The LSV operator must have a valid Class O license and have liability insurance coverage on the vehicle.

**Section 39** provides an operative date for the bill of January 1, 2012.

**Section 41** outright repeals the Alternative Fuel Tax Act. The necessary permit for an alternative fuel vehicle was administered by the Department of Revenue under this Act.

LB NO.	Introducer	One-liner
477	Fischer	Change regulation provisions under the Motor Vehicle Industry Regulation Act
<p><i>Effective date of August 27, 2011.</i></p> <p>LB 477 puts additional restrictions on motor vehicle manufacturers and franchisors in their dealings with motor vehicle dealer franchises.</p> <p><b>Section 2</b> amends § 60-1420 to give the dealer the right to protest any forced community change and the right to a good-cause hearing before the Industry Licensing Board.</p> <p>Under current law, franchised dealers and the manufacturers are required to establish an area of responsibility. The dealer is required to serve the public with both sales and service in that area.</p> <p><b>Section 3</b> amends § 60-1424 to remove the requirement of the franchisor to file an application with the licensing board before changing the dealer’s area of responsibility if the dealer and franchisor have voluntarily agreed to the change.</p> <p><b>Section 7</b> amends § 60-1436 to require manufacturers to accept dealer returns for unsorted parts that the manufacturer sends through a computerized automatic ordering service. No fee may be charged by the manufacturer for the returned parts.</p>		

The section prohibits a manufacturer from requiring a dealer to make changes in the dealership which cannot be justified by current business conditions.

The section also prohibits a manufacturer from requiring the dealer to give the manufacturer a customer's information.

Finally, the section prohibits a manufacturer from entering into an agreement with a dealer that gives site control of the premises that does not terminate when certain conditions are met.

**Section 8** amends § 60-1437 to require the manufacturer to disclose the method of distribution of its vehicles to all of the dealers handling the same line-make of vehicles.

The section also prohibits the manufacturer from requiring that the dealer sell only the manufacturer's products.

**Section 9** amends § 60-1438 to create a uniform method of payment for reimbursement for warranty parts and services, and determining and adjusting the payment amounts through a statutory formula.

The section outlines the particular instances when a manufacturer may deny reimbursement to a dealer and the appeal process involved when a denial is made, and requires the franchisor to pay legitimate warranty claims within 30 days.

It further gives the franchisor the right to audit those claims for 1 year under routine circumstances, and for 4 years for fraud (if reasonably suspected). In the event of either type of audit, the franchisor has the right to charge back the amount of any improper payment from the dealer's account, but only after the dealer has been given the opportunity to exhaust all appeal rights regarding the disputed amounts.

The section does not apply to recreational vehicles.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
500	Cook	Change penalties relating to unlawful obstruction or interference of the view of an operator of a motor vehicle
<i>Effective date of August 27, 2011.</i>		
LB 500 reduces the penalty for obstruction of an operator's view to a traffic infraction and makes enforcement a secondary action.		

The bill amends § 60-6,256 so that a person operating a vehicle with an object placed or hung in the vehicle that *significantly or materially* obstructs or interferes with the operator’s view is guilty of a traffic infraction. Under current law, the violation is a Class V misdemeanor (no prison, \$100 fine maximum).

A person found guilty under this section would be deducted one point under the point system on his or her driving record, and would be fined \$50 for a first offense, \$100 for a second offense, and \$150 for any subsequent offense.

The bill also provides that enforcement of this section shall be accomplished as a secondary action when the driver has been cited or charged with some other violation.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
573	Price	Authorize use of rotating or flashing amber lights on any motor vehicle operated by or for a storm spotter

*Effective date of August 27, 2011.*

LB 573 authorizes the use of an amber light for a storm spotter.

The bill amends § 60-6,232 to include a motor vehicle operated by a emergency management worker or storm spotter in the list of authorized uses of a rotating or flashing amber light.

The bill requires the Nebraska Emergency Management Agency to develop training, identification, and credentialing standards for storm spotters.

The bill also provides a definition of “storm spotter”.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
589	Smith <i>E-Clause</i>	Allow for encroachments on state highways for special events as prescribed

*Effective date of May 24, 2011.*

LB 589 authorizes a local government to temporarily use a state highway for a special

event if it meets certain conditions.

Current law gives complete authority over the use and any encroachments on the state highways or right-of-ways to the Department of Roads.

The following conditions must be met before the local government can use a state highway:

1. the roadway is located within the jurisdiction of the local government;
2. the local government has the legal duty to protect the highway property from any damage arising out of the event;
3. the duty of the state to protect the public shall become the duty of the local government during the time the local government is in control of the highway; and
4. the local government formally, by official action, accepts these requirements.

The local body must give the state 30 days advance written notice of the temporary use, which shall specify the date and time the local body will be assuming and relinquishing control of the highway.

The bill amends the Political Subdivision Tort Claims Act and the State Tort Claims Act in accordance with the liability conditions of a local government's temporary use of a state highway for a special event.

**FINAL READING**

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
255	T&T Committee	Eliminate investigation and regulation duties of the Public Service Commission relating to railroads

LB 255 eliminates the Public Service Commission's Railroad Inspection Program.

**Section 1** amends § 74-1313 to strike the reference to a PSC railroad accident investigation when considering a priority list for railroad crossings.

**Section 2** amends § 75-401 to strike the authority to enforce federal railroad safety standards.

**Section 3** amends § 75-426 to strike the authority of the Commission to investigate a railroad accident and issue a report.

**Section 4** provides an operative date for the bill of July 1, 2011.

**Section 6** provides the Emergency Clause to the bill.

## GENERAL FILE

LB NO.	Introducer	One-liner
216	Coash	Provide for special interest motor vehicle plates
<p>LB 216 creates a special interest motor vehicle license plate.</p> <p>The bill amends § 60-3,100 so that a special interest motor vehicle is only required to display one license plate. The plate shall be attached to the rear of the vehicle.</p> <p>The DMV would be required to design the special interest plate, and limit the manufacturing cost to that charged for the plate.</p> <p>The plates would be available in consecutively numbered or personalized message types.</p> <p>A person may apply to DMV in lieu of regular license plates at the DMV or county offices. The application form shall include a description of the special interest motor vehicle, a description of all motor vehicles owned that are used for regular transportation, proof of membership in a car club, and an affidavit stating the special interest vehicle won't be used for regular transportation.</p> <p>The initial and renewal application fee for the plate will be \$50. The fee will be split equally between the DMV Cash Fund and the Highway Trust Fund.</p> <p>The bill outlines a process for a replacement plate, the issuance procedure by the DMV, and the transfer of the plate to another vehicle.</p> <p>The bill also provides a definition of a special interest motor vehicle to mean one where the vehicle is unaltered from the original manufacturer's specifications and is being collected, preserved, restored, or maintained by the owner for leisure and not used for general transportation.</p> <p><b><u>Explanation of Amendments</u></b></p> <p>The committee amendment, AM 878, makes several changes to the bill.</p> <p><b>Section 3</b> of the amendment makes a technical change to the Registration Act to provide for a special interest license plate within the different categories of license plates found in § 60-3,104.</p> <p><b>Subsection 4(1)</b> of the amendment requires only the words "special interest" to be included on the license plate.</p> <p><b>Subsection (2)</b> changes one type of special interest plate from consecutively numbered plates to alphanumeric plates.</p>		

**Subsection (4)** prohibits motorcycles or trailers from obtaining a special interest license plate.

**Subsection (5)** simplifies the application process by no longer requiring a list of other vehicles owned by the applicant, proof of membership in a car club, or an affidavit swearing to limited use of the vehicle.

The amendment eliminates the transfer provision in the original bill. A vehicle owner seeking to transfer a special interest motor vehicle plate would have to go through the normal application process.

**Subsection (10)** of the amendment is a new provision that outlines the prohibitions and uses of a special interest motor vehicle.

**Subsection (11)** makes it a Class V misdemeanor for violating the special interest motor vehicle provisions.

**Subsection (12)** of the amendment simplifies the definition of a special interest motor vehicle.

**Section 5** of the amendment provides an operative date of January 1, 2012 to give the DMV time to make the necessary changes to the Vehicle, Titling and Registration (VTR) system.

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
418	Nelson	Exclude certain automatic dialing-announcing devices from registration
<p>LB 418 creates a new exemption from registration with the Public Service Commission when using an automatic dialing-announcing device.</p> <p>§ 86-256 requires any person using an auto dialing-announcing device for a reason other than soliciting to register with the PSC (with no fee) and include a detail of the planned use and message.</p> <p>The bill amends the statute to create another exemption from PSC registration when it is a message otherwise regulated and filed under the Political Accountability and Disclosure Act.</p> <p>The committee amendment, AM 643, is meant to clarify that any person who is subject to the Political Accountability and Disclosure Act with regard to the specific message will be</p>		

exempt from the Public Service Commission registration requirement. The amendment ensures that all political content, regardless of the message, will be included in the exemption.

**INDEFINITELY POSTPONED BY COMMITTEE**

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
220	Fischer	Change appeal procedures of the Public Service Commission
<p>LB 220 gives original jurisdiction of an appeal from a Public Service Commission order to the Court of Appeals.</p> <p>Current law requires an appeal from a Commission decision to be in accordance with the Administrative Procedure Act (APA). The APA requires an appeal to originate in the district court of the county where the action was taken.</p> <p>The bill amends all sections pertaining to the Commission’s jurisdiction for issuing a seal, entering an order, or imposing a fine. All appeals from a Commission decision shall now be appealed to the Court of Appeals.</p> <p>In addition, the bill amends § 75-134 so that an appeal of a Commission order shall stay enforcement of such order. In effect, the order shall not be carried out until a decision is made by the Court of Appeals.</p>		

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
353	Lautenbaugh	Change provisions relating to towing of vehicles and Exemptions from size, weight, and load restrictions
<p>LB 353 creates new guidelines for moving a disabled overdimensional vehicle from the highway.</p> <p>The bill amends § 60-6,297 to add an exemption to the width and height restrictions for a disabled or wrecked vehicle being towed. This is in addition to the current exemptions from the length and weight limits.</p> <p>The bill allows for the tow truck to bring the disabled vehicle to a “point of storage” in addition to a place of secure safekeeping.</p> <p>The bill provides a definition of “wrecker or tow truck” and “wrecker or towing service”.</p> <p>Finally, the bill provides the tow truck owner or operator will be held liable for any injury or damage when the tow truck operates over the dimensional restrictions.</p>		

<b>LB NO.</b>	<b>Introducer</b>	<b>One-liner</b>
659	Karpisek	Prohibit driving with controlled substances in bodily fluids
<p>LB 659 creates a new classification of a DUI when the person has any amount of a Schedule I - IV controlled substance in his or her system.</p> <p>The bill amends § 60-6,196 to create a new subdivision for when it is unlawful to be in control of a motor vehicle. It is unlawful when the person has any amount of a Schedule I controlled substance in any of his or her bodily fluids.</p> <p>In addition, it is unlawful when the person has any amount of a Schedule II, III, or IV controlled substance in any of his or her bodily fluids.</p> <p>The section does provide an affirmative defense under this subdivision for a person who has been prescribed the Schedule II, III, or IV controlled substance by a health care professional and is using the substance in accordance with the health care professional's directions. The defense only applies to the prescribed controlled substance and not to any other substance found.</p> <p>The bill also provides a disclaimer that except for the exclusion outlined above, the fact a person was legally entitled to consume alcohol or use a controlled substance does not constitute a defense against a DUI.</p>		

## HELD IN COMMITTEE

<b>LB #</b>	<b>Introducer</b>	<b>One-liner</b>
52	Krist	Change motorcycle helmet provisions and require eye protection
87	Christensen	Change provisions relating to mowing weeds in ditches
102	Schilz	Change provisions relating to vehicle loads
104	Schilz	Change certain vehicle weight provisions
182	Hansen	Change provisions relating to the issuance of one license plate
183	Wightman	Change abandoned motorboat and trailer provisions
185	Fulton	Provide for one vehicle license plate
206	Wightman	Provide for disposition of abandoned camper units and cabin trailers
217	Fischer	Change the Telecommunications Relay System Act
244	Carlson	Allow certain signs along scenic byways as prescribed
250	T&T Comte	Exempt limousine service from Public Service Commission regulation
295	Lathrop	Provide a complaint procedure with the Public Service Commission regarding towing and storage fees
327	Campbell	Change motor vehicle fees and distribution of the proceeds
420	Dubas	Provide an exception for farm tractor-farm wagon combinations from vehicle load limits
484	Hadley	Exclude certain activities from the definition of excavation under the One-Call Notification System Act
495	Pankonin	Adopt the Boat Dealers Licensing Act and add a member to the Nebraska Motor Vehicle Industry Licensing Board
584	Fulton	Exempt deployed military personnel from motor vehicle registration fees
625	Fulton	Change certain penalties relating to driving under the influence
661	Karpisek	Change specialty license plate fees
LR3CA	Fischer	Constitutional amendment to authorize pledge of state sales and use taxes for highway bonds

## INTERIM STUDY RESOLUTIONS

LR #	SPONSOR	SUBJECT
174	Gloor	To examine what impediments exist in state statute to attracting national agricultural and business conventions and trade shows to facilities in Nebraska, including review of the Motor Vehicle Industry Regulation Act
217	Cornett	To examine issues pertaining to creating a regional transportation commission or authority for purposes of helping to fund political subdivisions' transportation infrastructure projects
233	Hadley	To review the scope of the agricultural exemption from the One-Call Notification System Act
242	Fischer	To examine issues within the jurisdiction of the Transportation and Telecommunications Committee
287	Fischer	To analyze the in transit system in Nebraska for motor vehicle dealer sales and private transactions
292	Howard	To examine cellular phone related safety issues in construction and school zones
308	Schilz	To examine the intent of LB 102, 2011, regarding vehicle loads
316	Krist	To examine the timing issues relating to the construction, permitting, and coordination processes of state and federal agencies regarding roads and transportation projects

REPORT ON THE PRIORTIZING  
OF INTERIM STUDY RESOLUTIONS  
Pursuant to Rule 4, Section 3(c)

COMMITTEE:  
Transportation & Telecommunications

DATE:  
5/26/2011

The following resolutions were referred to the Committee on Transportation & Telecommunications. The committee has prioritized the resolutions in the following order:

<b><u>Resolution No.</u></b>	<b><u>Subject</u></b>
217	To examine issues pertaining to creating a regional transportation commission or authority for purposes of helping to fund political subdivisions' transportation infrastructure projects
287	To analyze the in transit system in Nebraska for motor vehicle dealer sales and private transactions
233	To review the scope of the agricultural exemption from the One-Call Notification System Act
316	To examine the timing issues relating to the construction, permitting, and coordination processes of state and federal agencies regarding roads and transportation projects
308	To examine the intent of LB 102, 2011, regarding vehicle loads
174	To examine what impediments exist in state statute to attracting national agricultural and business conventions and trade shows to facilities in Nebraska, including review of the Motor Vehicle Industry Regulation Act
292	To examine cellular phone related safety issues in construction and school zones
242	To examine issues within the jurisdiction of the Transportation and Telecommunications Committee

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 174**

Introduced by Gloor, 35; Avery, 28; Campbell, 25; Dubas, 34; Haar, 21; Hadley, 37; Janssen, 15; Loudon, 49; Nordquist, 7; Pankonin, 2; Sullivan, 41; Utter, 33.

PURPOSE: The purpose of this resolution is to study what impediments exist in state statute to attracting national agricultural and business conventions and trade shows to facilities in Nebraska. Such examination of statute may include, but shall not be limited to, a review of the Motor Vehicle Industry Regulation Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 217**

Introduced by Cornett, 45; Fischer, 43.

**PURPOSE:** The purpose of this resolution is to examine issues pertaining to creating a regional transportation commission or authority for purposes of helping to fund political subdivisions' transportation infrastructure projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:**

1. That the Revenue Committee and the Transportation and Telecommunications Committees of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.
2. That the committees shall upon the conclusion of the study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 233**

Introduced by Hadley, 37.

**PURPOSE:** The purpose of this interim study is to review the scope of the agricultural exemption from the One-Call Notification System Act. After an informal Attorney General opinion in January 2011 expressed some doubt with regard to the scope of the agricultural exemption, LB 484 was introduced to clarify that the scope of the exemption included third party soil samplers. Due to the concern surrounding the exemption, third party soil samplers were working with the Diggers Hotline center to become integrated within the system.

The committee will review the progress that has taken place, the process surrounding the One-Call system, and the policy implications of requiring or exempting third party soil samplers from participation in the One-Call notification process.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:**

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 242**

Introduced by Fischer, 43.

PURPOSE: The purpose of this resolution is to study the issues and matters within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 287**

Introduced by Fischer, 43.

**PURPOSE:** The purpose of this interim study is to analyze the in transit system in Nebraska for motor vehicle dealer sales and private transactions. With multiple state and local agencies involved in the process, an outdated system leaves a disconnection in the correct information flowing to the necessary destinations. As a result, it is difficult for the state to keep track of sales tax collections and proper motor vehicle registrations. In addition, current state law leaves no credible in transit process for a private motor vehicle sale.

The committee will conduct a working group with the Department of Motor Vehicles, county officials, and representatives of motor vehicle dealers to incorporate an in transit system into the existing Vehicle, Titling, and Registration (VTR) system. The working group will consider the impact on motor vehicle dealers, private sales, county treasurers, and the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:**

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 292**

Introduced by Howard, 9.

**PURPOSE:** The purpose of this interim study is to examine cellular phone related safety issues in construction and school zones. The committee shall conduct a study that includes, but is not limited to:

- (1) The dangers of cellular phone usage in school and construction zones;
- (2) The efficacy of current Nebraska statutes to address such safety concerns in school and construction zones; and
- (3) Legislative actions taken by other states to address such safety concerns in school and construction zones.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:**

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 308**

Introduced by Schilz, 47.

PURPOSE: To study the intent of LB 102 (2011) regarding vehicle loads.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE  
HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED SECOND LEGISLATURE  
FIRST SESSION

**LEGISLATIVE RESOLUTION 316**

Introduced by Krist, 10; Hadley, 37.

**PURPOSE:** The purpose of this resolution is to examine the timing issues related to the construction, permitting, and coordination processes of state and federal agencies regarding roads and transportation projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, FIRST SESSION:**

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.